

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**ARTURO W. TORRES,**

**Defendant.**

**8:13CR26**

## ORDER

This matter is before the court on the motion to continue by defendant Arturo W. Torres (Torres) (Filing No. 64). Torres seeks a sixty-day continuance of the trial of this matter which is scheduled for July 7, 2014. The court held a telephone conference with counsel on June 2, 2014. D.C. Bradford, III, represented Torres. Assistant U.S. Attorney Russell X. Mayer represented the United States. Due to the unavailability of defendant's forensic accountant and counsel's unavailability due to previously scheduled matters, the motion will be granted. Torres' counsel represents Torres will file an affidavit whereby Torres consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act.

**IT IS ORDERED:**

1. Torres' motion to continue trial (Filing No. 64) is granted.
2. Trial of this matter is re-scheduled for **November 10, 2014**, before Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **June 2, 2014, and November 10, 2014**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 2nd day of June, 2014.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge